

KINGSPORT BOARD OF ZONING APPEALS AGENDA  
REGULAR MEETING: July 19, 2018  
Development Services Building – Bob Clear Conference Room

CALL TO ORDER – 12:00 P.M. NOON

INTRODUCTION / MEETING PROCEDURES

**PUBLIC HEARING:**

**Case: 18-701-00010 – Property located at 1280 Catawba Street, Control Map 046N, Group G, Parcel 040.00** requests a 7 foot, 10 inch side yard variance in order to construct an attached carport to Sec 114-183(e)1(d). The property is zoned R-1B, Residential District.

***INTERESTED PARTIES:***

Owner: Jon Brooks  
1280 Catawba Street  
Kingsport, TN 37660  
(865) 274-3128

Representative: Jon Brooks

**Case: 18-701-00011 – Property located at 2009 Green Lane, Control Map 061L, Group L, Parcel 010.00** requests a 17 foot variance to permit a swimming pool in a side yard to Sec 114-133(1). The property is zoned R-1B, Residential District.

***INTERESTED PARTIES:***

Owner: Geoffrey Crawford  
2009 Green Lane  
Kingsport, TN 37664  
Email: evan@brackenpaving.com

Representative: Geoffrey Crawford

**Case: 18-701-00012 – Property located at 509 East Main Street, Control Map 046P, Group F, Parcel 006.00** requests a 16.87 square foot variance to blade sign size to Sec 114-194(g)5. The property is zoned B-2, Central Business District.

***INTERESTED PARTIES:***

Owner: Jody Stewart  
209 Marshall Avenue  
Mount Carmel, TN 37645  
(423) 367-8082

Representative: Jody Stewart

**Case: 18-701-00013 – Property located at 1010 Burns Street and 1017 Lynn Garden Drive, Control Map 030I, Group A, Parcel 012.00** requests a 6,951 square foot variance to minimum lot size and an 8,258 square foot variance to minimum lot size to Sec 114-195(f)1(a) and an 18 foot rear yard variance to Sec 114-195(f)1(e) for the purpose of subdividing the parcel. The property is zoned B-3, Highway Oriented Business District.

***INTERESTED PARTIES:***

Owner: Tony Mullenix  
1017 Lynn Garden Drive & 1010 Burns Street  
Kingsport, TN 37665  
378-4344

Representative: Murrell Weems

**Case: 18-701-00014 – Property located at 240 West Center Street, Control Map 046, Group E, Parcel 021.00** requests a 100 square foot variance to wall sign size to Sec 114-194(g)2. The property is zoned B-2, Central Business District.

***INTERESTED PARTIES:***

Owner: Powell Valley National Bank  
240 West Center Street  
Kingsport, TN 37660  
(423) 578-7209

Representative: Wynn Browning

**BUSINESS:**

**Approval of the June 7, 2018 driving tour and regular meeting minutes.**

**Stating for public record, the next application deadline is July 16, 2018 at noon, and meeting date (Thursday, August 2, 2018).**

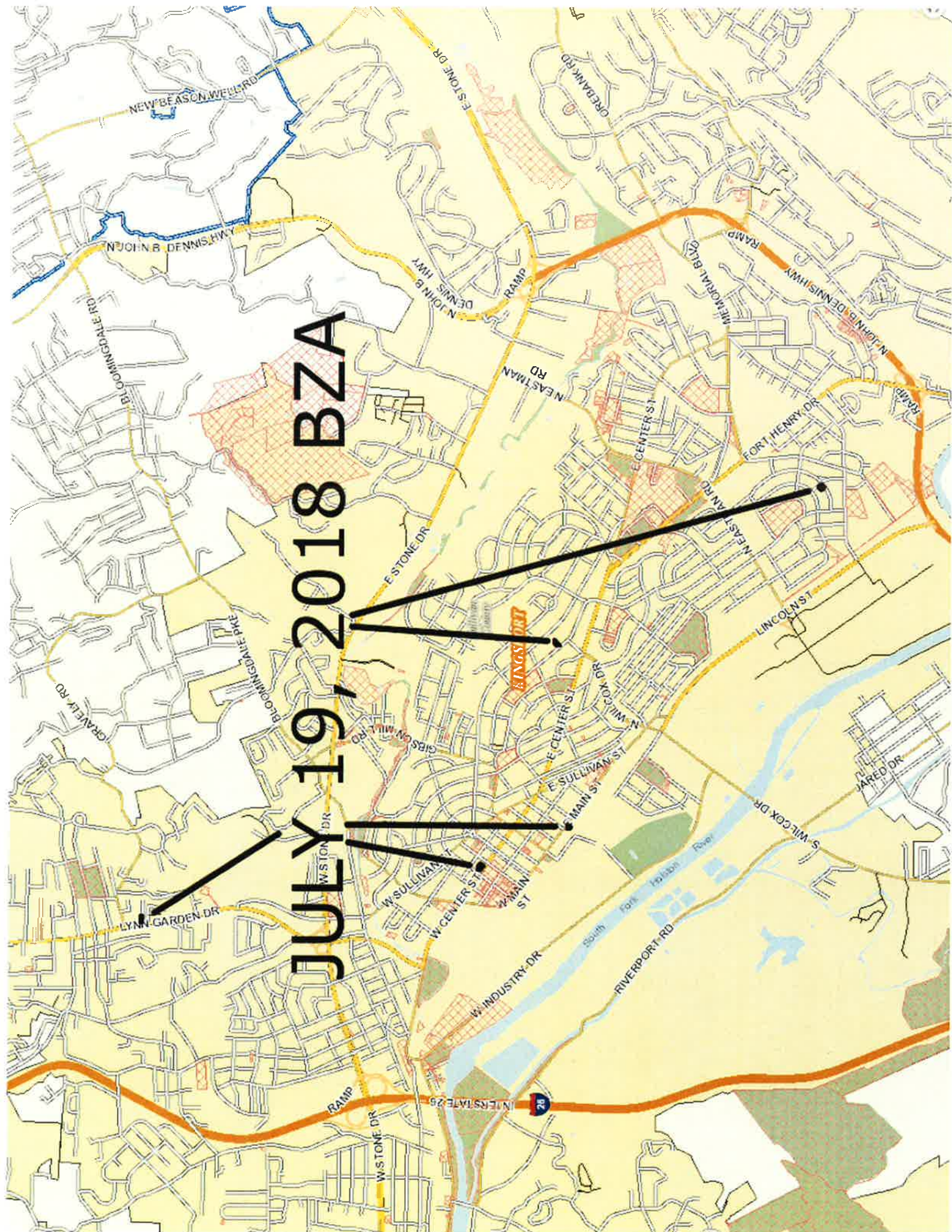
**Discussion of minimum yard requirements and location standards**

**ADJUDICATION OF CASES:**

**ADJOURNMENT:**



JULY 19, 2018 BZA





MEMORANDUM

TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Zoning Administrator

DATE: July 7, 2018

RE: 1280 Catawba Street

The Board is asked to consider the following request:

**Case: 18-701-00010 – Property located at 1280 Catawba Street, Control Map 046N, Group G, Parcel 040.00** requests a 7 foot, 10 inch side yard variance in order to construct an attached carport to Sec 114-183(e)1(d). The property is zoned R-1B, Residential District.

REGULAR MEETING  
& PUBLIC HEARING  
Kingsport Board of Zoning Appeals

NOTICE IS HEREBY GIVEN to all citizens of the City of Kingsport, Tennessee, to all persons interested, and the public at large that an open and public meeting of the Kingsport Board of Zoning Appeals scheduled for Thursday, July 19, 2018 will be conducted beginning at NOON in the Bob Clear Conference Room, on the first floor of the Development Services Building, 201 West Market Street, Kingsport, Tennessee.

A tour of the property will be conducted starting at 10:30a.m. prior to the meeting.

Public Hearing: The Kingsport Board of Zoning Appeals will conduct a Public Hearing during this meeting to consider the following case:

**Case: 18-701-00010 – Property located at 1280 Catawba Street, Control Map 046N, Group G, Parcel 040.00** requests a 7 foot, 10 inch side yard variance in order to construct an attached carport to Sec 114-183(e)1(d). The property is zoned R-1B, Residential District.

All interested persons are invited to attend this Public Hearing. Additional information concerning this case may be obtained by contacting City of Kingsport Planning Division staff, telephone (423) 229-9485.

City of Kingsport, Tennessee  
Jim Deming, City Recorder  
P1T: 7/10/18





R1A

R1B

# APPLICATION

Board of Zoning Appeals



## APPLICANT INFORMATION:

Last Name BROOKS First JOHN M.I. R Date 5/14/18  
Street Address 1280 CATAWBA STREET Apartment/Unit #  
City KINGSPORT State TN ZIP 37660  
Phone 865.274.3128 E-mail Address druidworks@gmail.com

## PROPERTY INFORMATION:

Tax Map Information Tax map: Group: Parcel: Lot:  
Street Address 1280 CATAWBA STREET Apartment/Unit #  
Current Zone Proposed Zone  
Current Use Proposed Use

## REPRESENTATIVE INFORMATION:

Last Name First M.I. Date  
Street Address Apartment/Unit #  
City State ZIP  
Phone E-mail Address

## REQUESTED ACTION:

WISH TO BUILD A WOODEN/METAL CARPORT THAT COMES TO  
PROPERTY'S EDGE ON RIGHT SIDE OF HOUSE. Requesting  
7'10" side yard set back variance.

## DISCLAIMER AND SIGNATURE

By signing below I state that I have read and understand the conditions of this application and have been informed as to the location, date and time of the meeting in which the Board of Zoning Appeals will review my application. I further state that I am/we are the sole and legal owner(s) of the property described herein and that I am/we are appealing to the Board of Zoning Appeals.

Signature:

John R. Brooks

Date:

6-11-18

Signed before me on this 11<sup>th</sup> day of June, 2018.

a notary public for the State of Tennessee

County of at large

Notary Page M. Jeffers

My Commission Expires May 23, 2020

DL# 064744364







NOTES:

Carport will be built with pressure treated materials for outside use. Posts will be constructed from 3" U channel steel, painted to match the brick paint. Trim paint will match the white trim of home. Dark gray architectural shingles to match existing shingles on home. The project is to appear aesthetically pleasing to current look of home in materials and craftsmanship.

AFTER RENDERING FRONT

PROJECT 1





**NOTES:**

Our biggest concern is this mighty oak tree that has already and will continue to damage our property. The tree is technically the neighbors tree. But the trunk is currently growing into our concrete driveway. Continuing to damage the property slowly.

This past christmas eve, a big limb fell from the tree damaging the gutter on the porch. Also damaging my car as well as my wifes to the total of close to \$10,000 in repares. We moved into the house just the prior month.

We strongly feel by adding the carport, this will provide better protection for our cars from the possibility of another limb falling. As well as just keeping the tree sap, and constant shedding of the trees to a minimum.



BEFORE SIDE VIEW





# GENERAL NOTES

- THIS PLAN IS BASED ON A FIELD SURVEY BY M. LACEY LAND SURVEYING, LLC COMPLETED ON 08/06/2018.
- REFERENCES:
  - DEED: BOOK 3288, PAGE 625
  - MAP ENTITLED: "REVISED LETTING PLAN BLOCKS 89, 119, 119, 117-A, KINGSFORD CORPORATION" AS FILED IN THE SULLIVAN COUNTY REGISTER'S OFFICE IN PLAT BOOK 5, PAGE 172A.
  - THIS SURVEY IS SUBJECT TO A COMPLETE AND UP TO DATE ABSTRACT OF TITLE.
  - PER THE NATIONAL FLOOD INSURANCE RATE MAP FOR THE COUNTY OF SULLIVAN, STATE OF TENNESSEE, MAP NUMBER 471630045D, EFFECTIVE DATE OF 09/28/2006, THE SUBJECT PROPERTY FALLS WITHIN ZONE "X", WHICH IS NOT A SPECIAL FLOOD HAZARD AREA. THIS DETERMINATION IS BASED ON SCALED MAP LOCATION AND GRAPHIC PLOTTING.
  - THE PROPERTY FALLS WITHIN THE R-1B ZONING DISTRICT WITH THE FOLLOWING MINIMUM SETBACK REQUIREMENTS.

FRONT YARD 30-FT  
SIDE YARD 8-FT  
REAR YARD 30-FT

## LEGEND

PROPERTY LINE	ADJOINING PROPERTY LINE
BUILDING SETBACK LINE	CHAINLINK FENCE
WOOD FENCE	CURB LINE
EDGE OF CONCRETE	OVERHEAD WIRES
IRON PIPE	IRON ROD
T-POST	UTILITY POLE
AIR CONDITIONER	GAS METER
ELECTRIC METER	

## ABBREVIATIONS

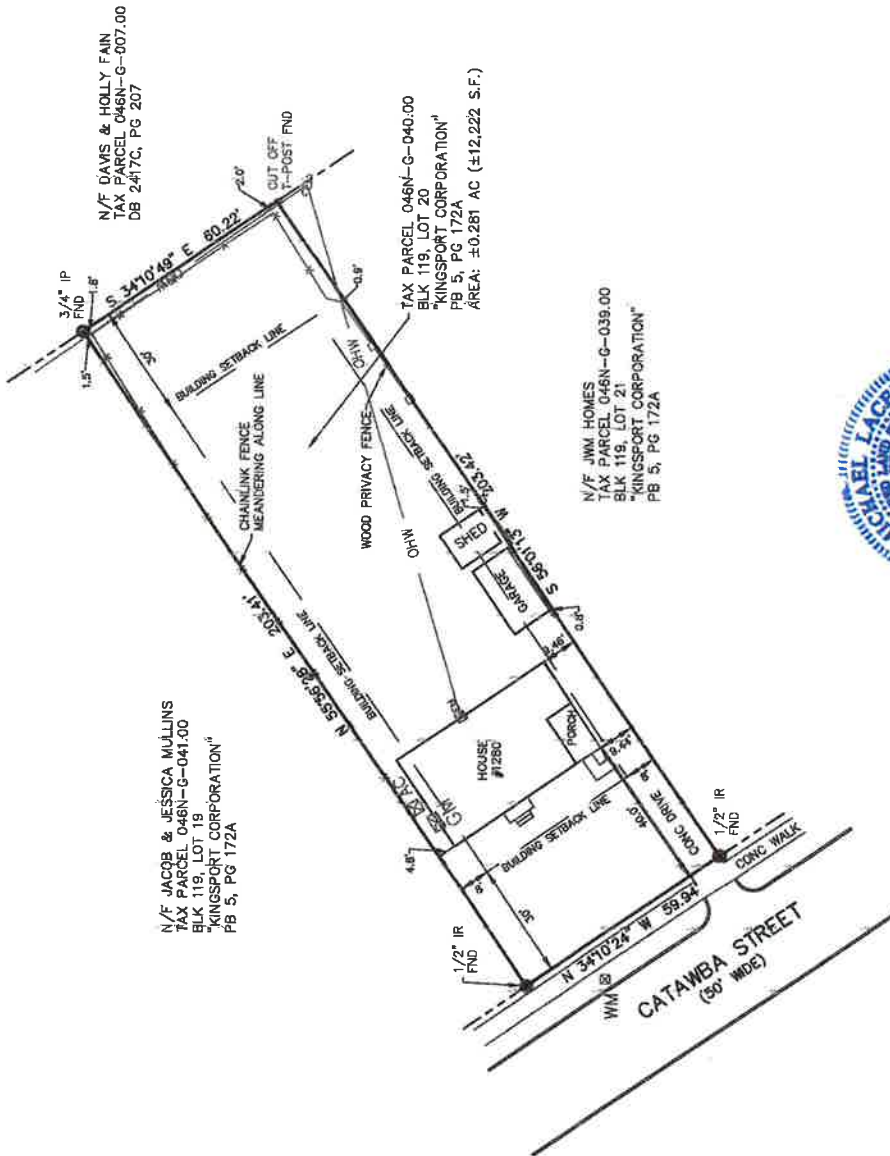
AC	ACRE	IR	IRON ROD
BLK	BLOCK	N/F	NOT FORMERLY
CONC	CONCRETE	PB	PLAT BOOK
DE	DEED	PG	PAGE
FND	FOUND	S.F.	SQUARE FEET
IP	IRON PIPE		

## SURVEY OF LANDS OF

**JON BROOKS & BETH STREFFY**  
TAX PARCEL 046N-G-040.00  
1280 CATAWBA STREET  
CITY OF KINGSFORD, SULLIVAN CO., TN  
**M. LACEY LAND SURVEYING, LLC**

PROFESSIONAL LAND SURVEYING SERVICES  
879 BEECH GROVE ROAD, BULLS GAP, TN 37711  
PHONE: 423-235-5546 E-MAIL: MLACEY@MLACEYLANDSURVEYING.COM  
WWW.MLACEYLANDSURVEYING.COM

Date: 08/06/2018  
Drawing No: 7490118  
Sheet No: 0



MICHAEL LACEY, RLS 28608  
REGISTERED LAND SURVEYOR

## CERTIFICATION

I HEREBY CERTIFY THAT THIS SURVEY MAP IS BASED ON A FIELD SURVEY COMPLETED UNDER MY IMMEDIATE SUPERVISION AND IT CONFORMS TO THE STANDARDS OF PRACTICE ESTABLISHED BY THE TENNESSEE BOARD OF LAND SURVEYING. THIS IS A CATEGORY 1 SURVEY AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS BETTER THAN 1:10,000 AS SHOWN HEREON.

## Variance Worksheet – Finding of Facts

*Variances.* Except as provided herein to hear and decide applications for variance from the terms of this chapter, because of exceptional narrowness, shallowness or shape of a specific piece of property which on June 16, 1981, was a lot of record or where, because of exceptional topographic conditions or other extraordinary or exceptional situation or condition of a piece of property, the strict application of this chapter would result in peculiar and exceptional practical difficulties to exception or undue hardship upon the owner of such property, provided that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this chapter. In granting a variance the board may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable in furtherance of the purposes of this chapter. Before any variance is granted, the board must find all of the following, which shall be recorded, along with any imposed conditions or restrictions, in minutes and records and issued in written form to the applicant to constitute proof of the variance:

- a. The specific conditions in detail which are unique to the applicant's land. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity.

**Many Houses on my street are built very close together. My home was built in 1941, which was prior to the current 8 foot property line requirement.**

- b. The manner in which the strict application of this chapter would deprive the applicant of a reasonable use of the land.

**Because of the houses being built so close together, This would not allow the opportunity to build a carport for protection for my automobiles from the surrounding trees and elements. To which I have already had damage to both of my automobiles in the neighborhood of \$10,000.**

- c. The unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption or amendment of this chapter.

**If I do not build a carport to protect my automobiles, they will continue to be damaged by the trees dropping branches, sap, onto them.**

d. Reasons that the variance will preserve, not harm, the public safety and welfare and will not alter the essential character of the neighborhood.

**My plans are, to build a carport that esthetically looks nice with the house. Being a 1941 Cape Cod style home. I do plan to build the carport out of wood and metal to match the house in color scheme and using the same materials. I.e. shingles, thickness of wood and type of wood. This craftsmanship will compliment the home and will provide protective shelter for my automobiles. Subsequently adding value to the home and property, which in turn adds value to surrounding properties.**

Further, a variance may be granted only if the Board finds that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning plan and this chapter. Variances shall not be granted permitting an increase in floor area or density above the maximum permitted by the zoning district; allowing a use other than those specifically authorized by this chapter in the applicable zoning district; or from the denial of a zoning permit when such denial is due to the fact that such lot has no frontage on a public street unless such lot was a lot of record on June 16, 1981.

Hardship - There is no definition of a "hardship". Some guidelines, based on legal precedent, for applying the concept of unnecessary hardship are:

1. The premises of cannot be used in a manner permitted by the Zoning Ordinance unless the variance is granted.
2. A strict application of the terms of the Zoning Ordinance precludes its use for any purpose to which the land is reasonably adopted.
3. Inability to put the property to its most profitable use DOES NOT constitute a "hardship".
4. Mere inconvenience to the applicant is not sufficient grounds for determining a "hardship". In granting a variance the BZA may not make any decision that is contrary to the purpose and intent of the Zoning Ordinance.



MEMORANDUM

TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Zoning Administrator

DATE: July 7, 2018

RE: 2009 Green Lane

The Board is asked to consider the following request:

**Case: 18-701-00011 – Property located at 2009 Green Lane, Control Map 061L, Group L, Parcel 010.00** requests a 17 foot variance to permit a swimming pool in a side yard to Sec 114-133(1). The property is zoned R-1B, Residential District.

An above ground pool was erected in the side yard of the home located at 2009 Green Lane in May of 2018. Accessory structures are required to be located in the rear yard. The pool, as scaled from the required survey, is a total of 17 feet outside the rear yard. After erecting the pool, the property owner subsequently erected a privacy fence to screen the pool.

REGULAR MEETING  
& PUBLIC HEARING  
Kingsport Board of Zoning Appeals

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**Case: 18-701-00011 – Property located at 2009 Green Lane, Control Map 061L, Group L, Parcel 010.00** requests a 17 foot variance to permit a swimming pool in a side yard to Sec 114-133(1). The property is zoned R-1B, Residential District.

All interested persons are invited to attend this Public Hearing. Additional information concerning this case may be obtained by contacting City of Kingsport Planning Division staff, telephone (423) 229-9485.

City of Kingsport, Tennessee  
Jim Deming, City Recorder  
P1T: 7/10/18



2008

2004

GREEN LN

2009

Sullivan County

KINGSFORD

2005

2208

2224

2228

2104

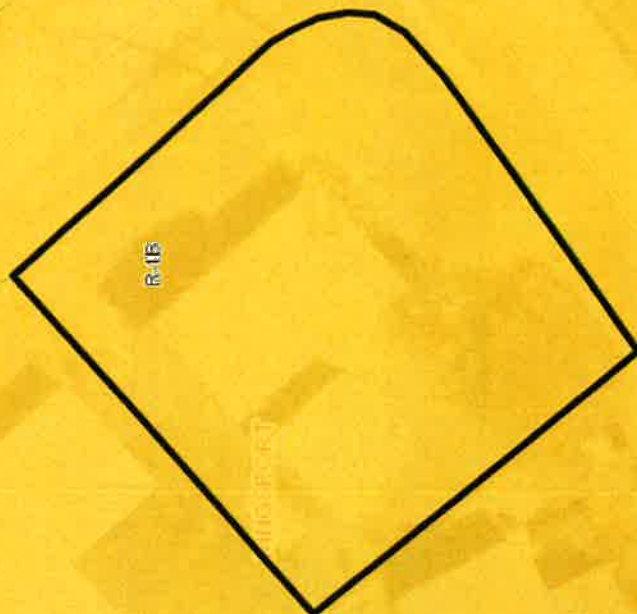
2204

2213

2217

HERMITAGE DR





**APPLICATION**  
Board of Zoning Appeals



**APPLICANT INFORMATION:**

Last Name	Crawford	First	Geoffrey	M.I.	E	Date	6/13/18
Street Address	2009 Green Lane			Apartment/Unit #			
City	Kingsport	State	TN	ZIP			37664
Phone	423-340-1503			E-mail Address			evan@brackenpaving.com

**PROPERTY INFORMATION:**

Tax Map Information	Tax map: 61L	Group: L	Parcel: 10.00	Lot: 9
Street Address	2009 Green Lane			Apartment/Unit #
Current Zone	R-1B	Proposed Zone	NO CHANGE	
Current Use	SINGLE FAMILY	Proposed Use	NO CHANGE	

**REPRESENTATIVE INFORMATION:**

Last Name	SAME AS APPLICANT	First		M.I.		Date	
Street Address				Apartment/Unit #			
City		State		ZIP			
Phone				E-mail Address			

**REQUESTED ACTION:**

17 FOOT VARIANCE TO PERMIT A SWIMMING POOL IN SIDEYARD

**DISCLAIMER AND SIGNATURE**

By signing below I state that I have read and understand the conditions of this application and have been informed as to the location, date and time of the meeting in which the Board of Zoning Appeals will review my application. I further state that I am/we are the sole and legal owner(s) of the property described herein and that I am/we are appealing to the Board of Zoning Appeals.

Signature:  Date: 6/29/18

Signed before me on this 29th day of June, 2018

a notary public for the State of Tennessee

County of Sullivan

Notary Vinita J. Chen

My Commission Expires 9/28/2021



CITY PLANNING OFFICE

## Variance Worksheet – Finding of Facts

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- a. The specific conditions in detail which are unique to the applicant's land. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity.

The property is located on a corner lot. There is currently no room for the pool in the backyard due to no fault of current owner.

- b. The manner in which the strict application of this chapter would deprive the applicant of a reasonable use of the land.

The strict application of this chapter would deny the owners a reasonable use of their property.

- c. The unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption or amendment of this chapter.

The lot size and configuration is not a result from actions of the applicant.



d. Reasons that the variance will preserve, not harm, the public safety and welfare and will not alter the essential character of the neighborhood.

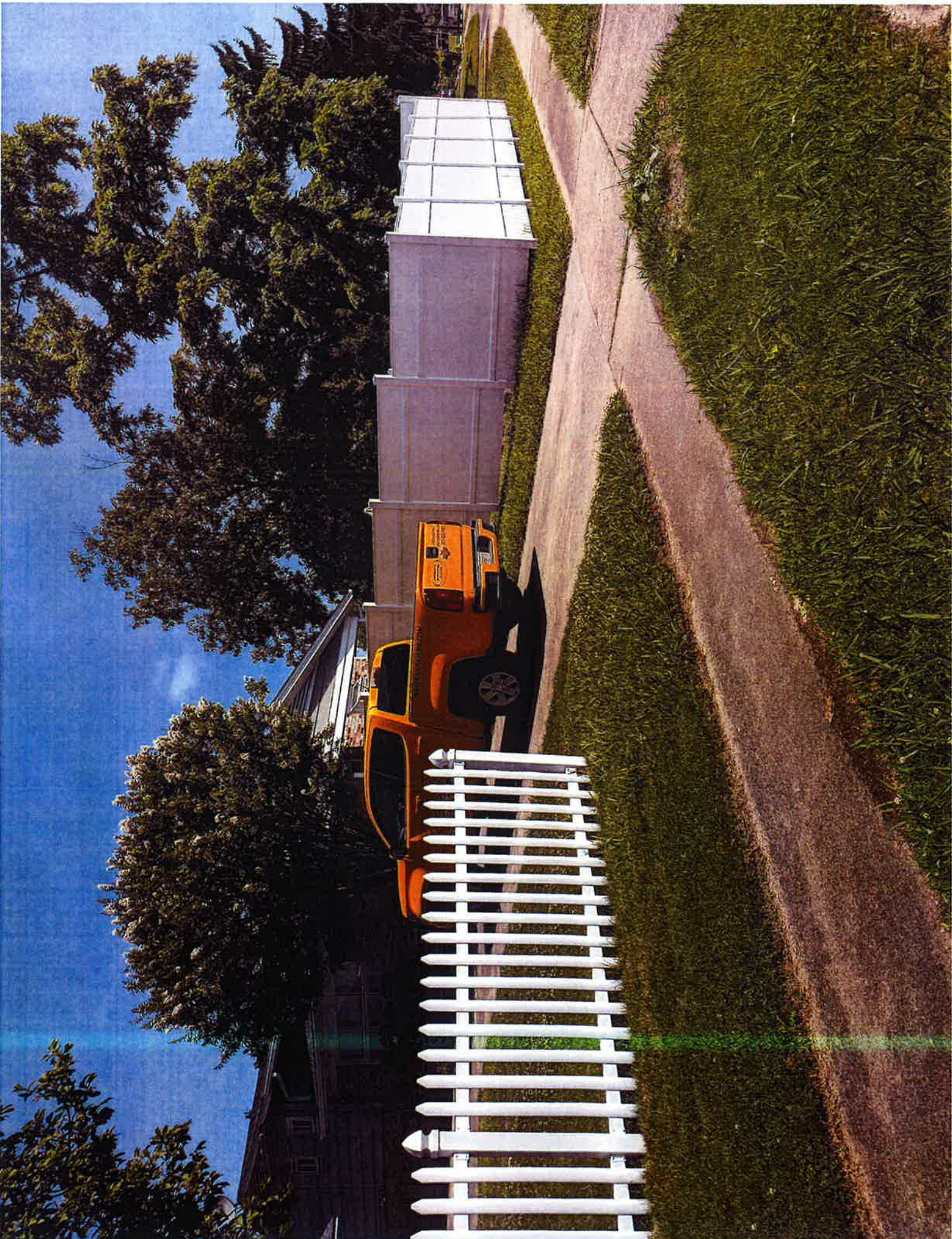
The variance will preserve the character of the neighborhood by blocking the view of the pool through a white vinyl privacy fence. This fence is similar to others in neighborhood.

Further, a variance may be granted only if the Board finds that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning plan and this chapter. Variances shall not be granted permitting an increase in floor area or density above the maximum permitted by the zoning district; allowing a use other than those specifically authorized by this chapter in the applicable zoning district; or from the denial of a zoning permit when such denial is due to the fact that such lot has no frontage on a public street unless such lot was a lot of record on June 16, 1981.

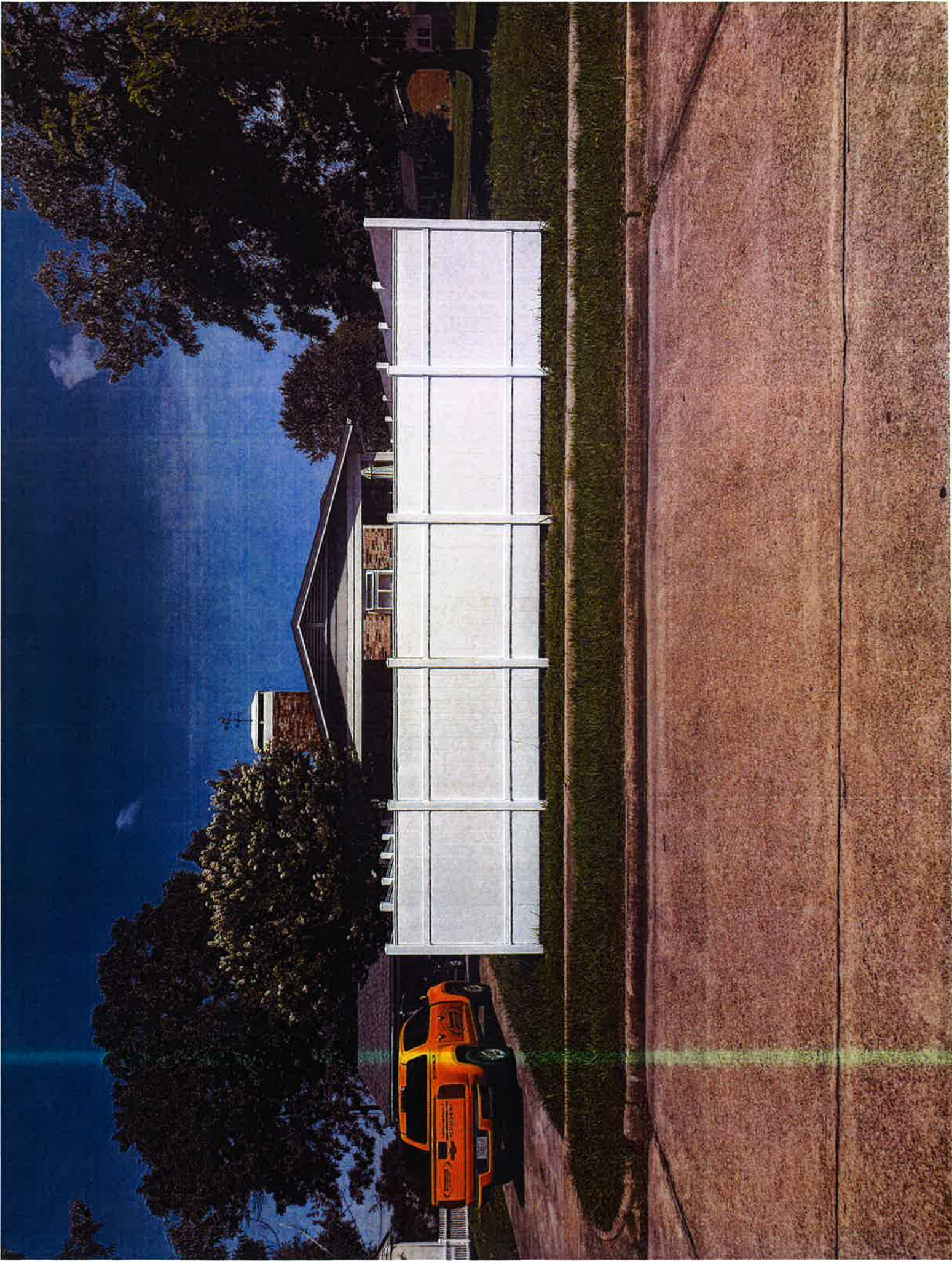
Hardship - There is no definition of a "hardship". Some guidelines, based on legal precedent, for applying the concept of unnecessary hardship are:

1. The premises of cannot be used in a manner permitted by the Zoning Ordinance unless the variance is granted.
2. A strict application of the terms of the Zoning Ordinance precludes its use for any purpose to which the land is reasonably adopted.
3. Inability to put the property to its most profitable use DOES NOT constitute a "hardship".
4. Mere inconvenience to the applicant is not sufficient grounds for determining a "hardship". In granting a variance the BZA may not make any decision that is contrary to the purpose and intent of the Zoning Ordinance.















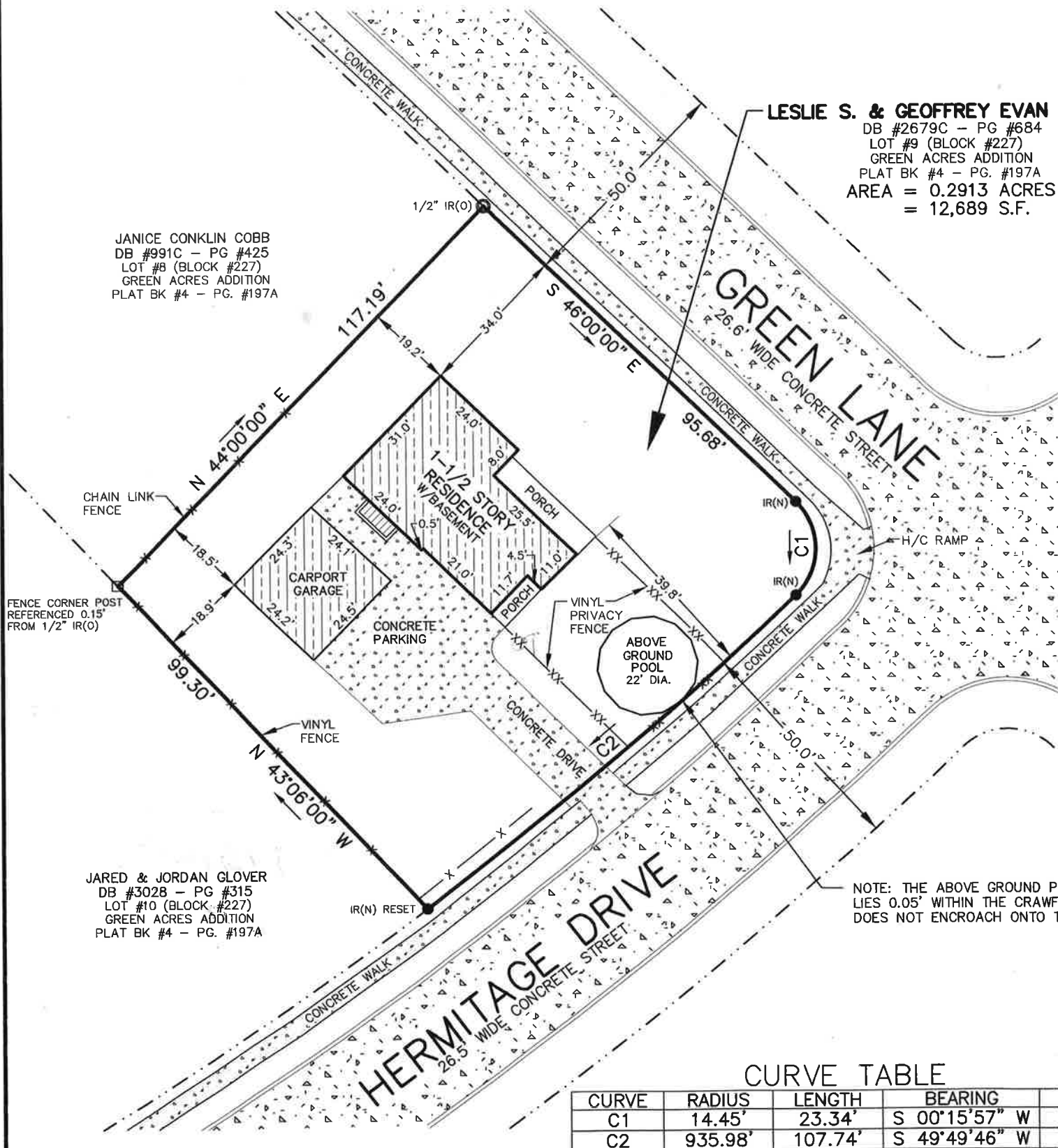








**- LESLIE S. & GEOFFREY EVAN**  
DB #2679C - PG #684  
LOT #9 (BLOCK #227)  
GREEN ACRES ADDITION  
PLAT BK #4 - PG. #197A  
AREA = 0.2913 ACRES  
= 12,689 S.F.



CURVE	RADIUS	LENGTH	BEARING
C1	14.45'	23.34'	S 00°15'57" W
C2	935.98'	107.74'	S 49°49'46" W

P.O. BOX 327 - UNICOI, TN. 37692

PHONE (423) 747-3833

EMAIL: [treadsurvey@embarqmail.com](mailto:treadsurvey@embarqmail.com)

CIVIL DIST.: 11  
COUNTY: SULLIVAN  
CITY: KINGSFORD  
STATE: TENNESSEE  
2009 GREEN LANE

MEMORANDUM

TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Zoning Administrator

DATE: July 7, 2018

RE: 509 E Main Street

The Board is asked to consider the following request:

**Case: 18-701-00012 – Property located at 509 East Main Street, Control Map 046P, Group F, Parcel 006.00** requests a 16.87 square foot variance to blade sign size to Sec 114-194(g)5. The property is zoned B-2, Central Business District.

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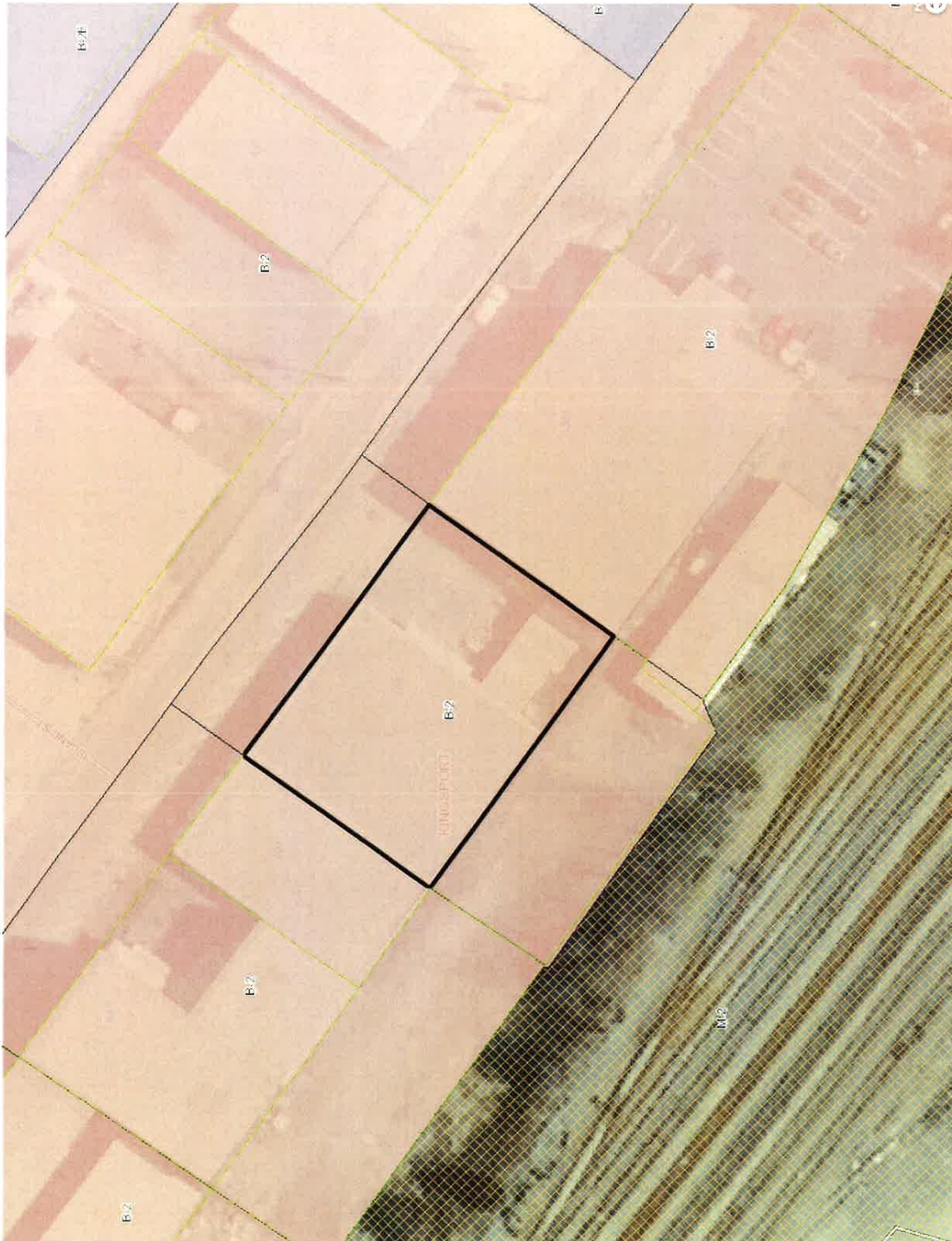
All interested persons are invited to attend this Public Hearing. Additional information concerning this case may be obtained by contacting City of Kingsport Planning Division staff, telephone (423) 229-9485.

City of Kingsport, Tennessee  
Jim Deming, City Recorder  
P1T: 7/10/18











# APPLICATION

Board of Zoning Appeals



## APPLICANT INFORMATION:

Last Name Stewart First Jody M.I. W Date 7/2/18  
Street Address 209 Marshall Ave Apartment/Unit #  
City Mt. Carmel State TX ZIP 37645  
Phone (423) 367-8082 E-mail Address stewartjw2000@yahoo.com

## PROPERTY INFORMATION:

Tax Map Information Tax map: 46P Group: F Parcel: 6 Lot:  
Street Address 509 East Main Street Apartment/Unit #  
Current Zone B-2 Proposed Zone No change  
Current Use Vacant Proposed Use City Electric

## REPRESENTATIVE INFORMATION:

Last Name Same as App. First M.I. Date  
Street Address Apartment/Unit #  
City State ZIP  
Phone E-mail Address

## REQUESTED ACTION:

16,87 square ft. Variance to Blade Sign Size in a B-2 District.

## DISCLAIMER AND SIGNATURE

By signing below I state that I have read and understand the conditions of this application and have been informed as to the location, date and time of the meeting in which the Board of Zoning Appeals will review my application. I further state that I am/we are the sole and legal owner(s) of the property described herein and that I am/we are appealing to the Board of Zoning Appeals.

Signature: Jody Stewart Date: 7/2/18

Signed before me on this 2nd day of July, 2018,  
a notary public for the State of Tennessee  
County of At Large

Notary Page M. Jeffers  
My Commission Expires May 23, 2020



## Variance Worksheet – Finding of Facts

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- a. The specific conditions in detail which are unique to the applicant's land. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity.

*Installing the sign will preserve the essential character of the neighborhood.*

- b. The manner in which the strict application of this chapter would deprive the applicant of a reasonable use of the land.

*Strict application would prevent the same blade sign size as previously permitted.*

- c. The unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption or amendment of this chapter.

*The property enjoyed the same amount of blade sign in the past.*

d. Reasons that the variance will preserve, not harm, the public safety and welfare and will not alter the essential character of the neighborhood.

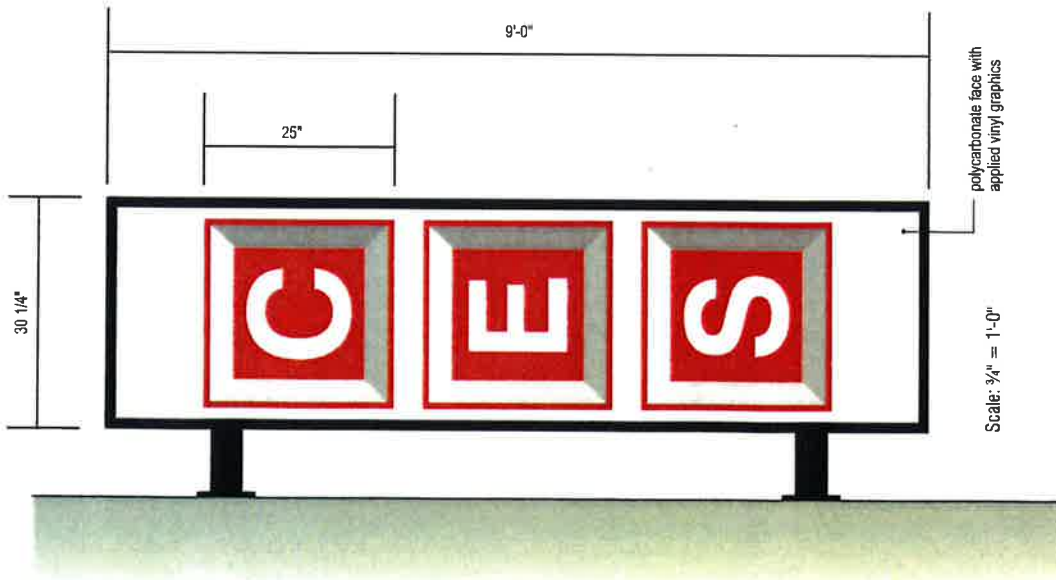
*This action will restore the essential character of the neighborhood.*

Further, a variance may be granted only if the Board finds that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning plan and this chapter. Variances shall not be granted permitting an increase in floor area or density above the maximum permitted by the zoning district; allowing a use other than those specifically authorized by this chapter in the applicable zoning district; or from the denial of a zoning permit when such denial is due to the fact that such lot has no frontage on a public street unless such lot was a lot of record on June 16, 1981.

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**SCOPE OF WORK:**  
Manufacture and install replacement faces for existing D/F Blade Sign

**DESCRIPTION:**  
- Faces are flat polycarbonate with surface applied vinyl graphics.  
- Face are installed into existing cabinet.

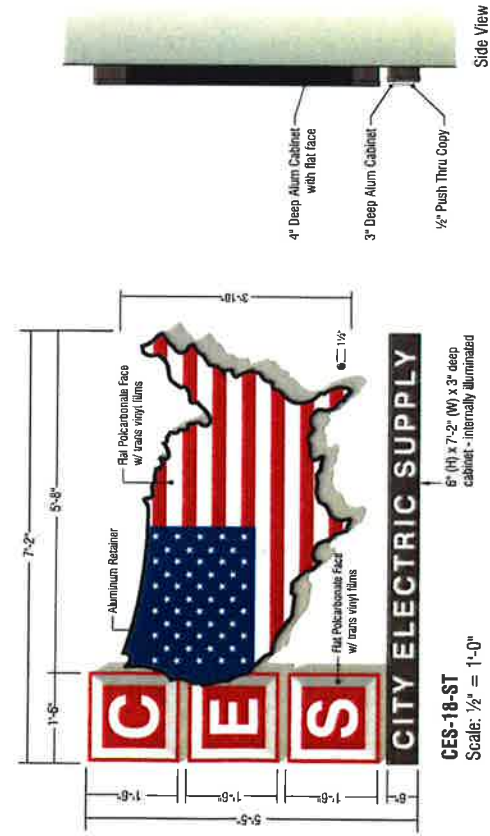
-  Digitally printed PMS 7341 Lt Gray
-  Digitally printed PMS 442 Med Gray
-  Digitally printed PMS Cool Gray #8
-  7328 white polycarbonate
-  3M 3630-33 Vinyl

30.5" x 108" = 22.87 Sq Ft



<div><div>atlas SIGN INDUSTRIES</div></div> <div>Headquarters: 1077 West Blue Heron Blvd., West Palm Beach, FL 33404 Northeast Division: 707 Commerce Dr., Concord, NC 28025 Phone   FL 561-865-6659   NC 704-786-3733   Toll Free: 800-772-7932 Web: <a href="http://www.atlassignindustries.us">www.atlassignindustries.us</a></div> <div><div>CITY ELECTRIC SUPPLY</div></div> <table><tr><td>Project: Joe Janelle</td><td>Rev: 91785</td><td>Page: 003</td></tr><tr><td>Location: 509 East Main Street Kingsport, TN</td><td>Drawn by: J. Seager</td><td></td></tr><tr><td>Client: Blue Sign</td><td>Date: 05/14/2018</td><td>Retain: CES   TN   Kingsport</td></tr></table>			Project: Joe Janelle	Rev: 91785	Page: 003	Location: 509 East Main Street Kingsport, TN	Drawn by: J. Seager		Client: Blue Sign	Date: 05/14/2018	Retain: CES   TN   Kingsport
Project: Joe Janelle	Rev: 91785	Page: 003									
Location: 509 East Main Street Kingsport, TN	Drawn by: J. Seager										
Client: Blue Sign	Date: 05/14/2018	Retain: CES   TN   Kingsport									

CES-18-ST	
Model	18-ST-001
Material	Aluminum
Finish	Charcoal Gray
Dimensions	74" x 10" x 10"
Weight	110 lbs
Lead Time	12-16 weeks
Price	See quote



## LETTER SQUARES

Letter Sign is to include (3) internally lighted Letter Squares constructed of aluminum (.080 backs, 1" retainers & 4" deep returns) - (2) Letter Squares to be joined to US GRAPHIC. Letter Squares finished with gloss acrylic urethane enamel: returns, backs & retainer sides - black, retainer faces - corporate red.

Letter Square faces of flat white polycarbonate with all color applied to first surface (three shades of gray, red & white). Internal illumination by white, energy efficient LED modules. Power supplies located within each Letter Square. All wiring UL approved.

## U.S. GRAPHIC

Wall Sign is to include (1) internally lighted US Graphic constructed of aluminum (.080 backs, 6" retainers & 4" deep returns) finished with gloss black acrylic urethane enamel.

US Graphic face of flat white polycarbonate (on smaller signs face will be flat) with all color (red white & blue) applied 1st surface. Internal illumination by white, energy efficient LED modules. Power supplies located within US Graphic. All wiring UL approved.

## EC SPELL-OUT

Wall Sign is to include a breakformed aluminum cabinet with painted finish. "Box Top" face from aluminum with pushed thru Acrylic copy, mechanically secured. Cabinet and face finished in charcoal gray (Alzco Nobel 499-G-4) acrylic urethane (satin).

Internal illumination by white, energy efficient LED modules. All wiring UL approved. Registered Trademark executed with .250" plate aluminum disk with vinyl circle/R.

- Digitally printed PMS 7541 Lt Gray
- Digitally printed PMS 442 Med Gray
- Digitally printed PMS Cool Gray #8
- Satin Charcoal Gray paint (Alzco Nobel 499-G-4)
- 1/2" thick clear acrylic with 3M 3630-20 white trans vinyl overlay on face and white diffuser on second surface.
- White polycarbonate



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SIGN INDUSTRIES

Headquarters: 1077 West Blue Heron Blvd., West Palm Beach, FL 33404  
Northeast Division: 707 Commerce Dr., Concord, NC 28025  
Phone | FL 561-463-6559 | NC 704-786-3733 | Toll Free: 800-772-7932  
Web: [www.atlassignindustries.us](http://www.atlassignindustries.us)

**CITY ELECTRIC SUPPLY**

Project Name	509 East Main Street	Project No.	91765	Page	002
Client	Kingsport, TN	Designer	J. Sager		
Installation Date	06/14/2018	Location	Retail/CES TN/Kingsport		



MEMORANDUM

TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Zoning Administrator

DATE: July 7, 2018

RE: 1010 Burns Street and 1017 Lynn Garden Drive

The Board is asked to consider the following request:

**Case: 18-701-00013 – Property located at 1010 Burns Street and 1017 Lynn Garden Drive, Control Map 030I, Group A, Parcel 012.00** requests a 6,951 square foot variance to minimum lot size and an 8,258 square foot variance to minimum lot size to Sec 114-195(f)1(a) and an 18 foot rear yard variance to Sec 114-195(f)1(e) for the purpose of subdividing the parcel. The property is zoned B-3, Highway Oriented Business District.

The existing parcel contains many legal, nonconforming zoning issues. The three listed above are solely the result of needing to subdivide the residential house from the commercial business. This is not uncommon for areas developed prior to modern-day zoning standards.

REGULAR MEETING  
& PUBLIC HEARING  
Kingsport Board of Zoning Appeals

NOTICE IS HEREBY GIVEN to all citizens of the City of Kingsport, Tennessee, to all persons interested, and the public at large that an open and public meeting of the Kingsport Board of Zoning Appeals scheduled for Thursday, July 19, 2018 will be conducted beginning at NOON in the Bob Clear Conference Room, on the first floor of the Development Services Building, 201 West Market Street, Kingsport, Tennessee.

A tour of the property will be conducted starting at 10:30a.m. prior to the meeting.

Public Hearing: The Kingsport Board of Zoning Appeals will conduct a Public Hearing during this meeting to consider the following case:

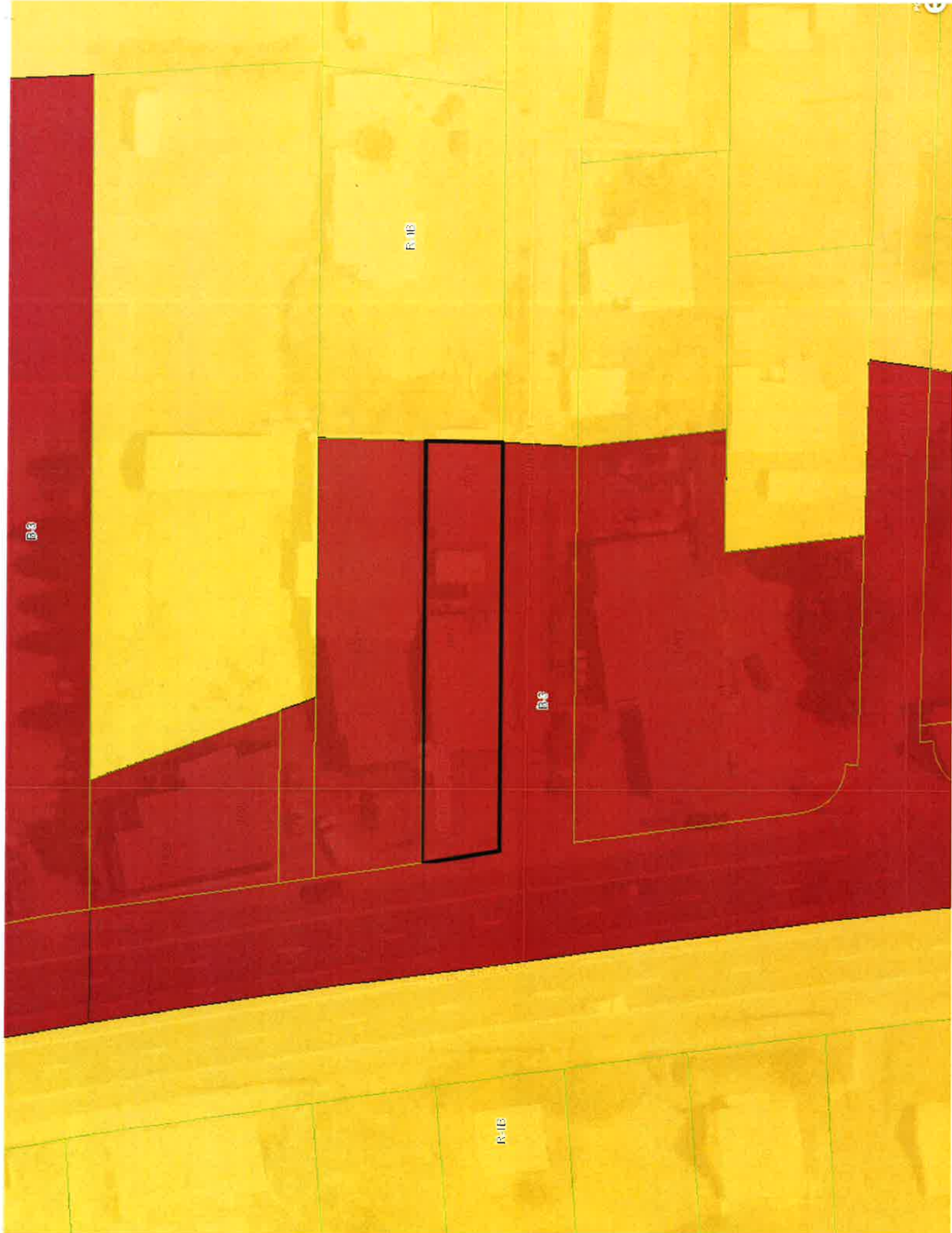
**Case: 18-701-00013 – Property located at 1010 Burns Street and 1017 Lynn Garden Drive, Control Map 030I, Group A, Parcel 012.00** requests a 6,951 square foot variance to minimum lot size and an 8,258 square foot variance to minimum lot size to Sec 114-195(f)1(a) and an 18 foot rear yard variance to Sec 114-195(f)1(e) for the purpose of subdividing the parcel. The property is zoned B-3, Highway Oriented Business District.

All interested persons are invited to attend this Public Hearing. Additional information concerning this case may be obtained by contacting City of Kingsport Planning Division staff, telephone (423) 229-9485.

City of Kingsport, Tennessee  
Jim Deming, City Recorder  
P1T: 7/10/18









# APPLICATION

Board of Zoning Appeals

## APPLICANT INFORMATION:

Last Name MULLENIX First TONY M.I. \_\_\_\_\_ Date 7-5-18  
Street Address 1017 LYNN GARDEN DR.  
1010 BURNS ST. Apartment/Unit # \_\_\_\_\_  
City KINGSFORT State TN ZIP 37665  
Phone 378-4344 E-mail Address \_\_\_\_\_

## PROPERTY INFORMATION:

Tax Map Information Tax map: 301 Group: A Parcel: 12 Lot: \_\_\_\_\_  
Street Address 1017 LYNN GARDEN DR. Apartment/Unit # \_\_\_\_\_  
1010 BURNS ST.  
Current Zone B-3 Proposed Zone \_\_\_\_\_  
COMMERCIAL 1017 LYNN GARDEN DR.  
Current Use RESIDENTIAL 1010 BURNS ST Proposed Use \_\_\_\_\_

## REPRESENTATIVE INFORMATION:

Last Name WEEMS First MURRELL M.I. \_\_\_\_\_ Date 7-5-18  
Street Address P.O. Box 304 Apartment/Unit # \_\_\_\_\_  
City ROBESVILLE, State TN. ZIP 37857  
Phone 423-272-6608 E-mail Address MWEEMS285@BELLSOUTH.NET

## REQUESTED ACTION:

1017 LYNN GARDEN DR. Sq. Feet 6,951 ± 18' VARIANCE ON  
1010 BURNS ST. VARIANCE NEEDED REAR SETBACK LINE  
Sq. Feet 8,258 ±  
VARIANCE NEEDED

## DISCLAIMER AND SIGNATURE

By signing below I state that I have read and understand the conditions of this application and have been informed as to the location, date and time of the meeting in which the Board of Zoning Appeals will review my application. I further state that I am/we are the sole and legal owner(s) of the property described herein and that I am/we are appealing to the Board of Zoning Appeals.

Signature: Tony W Mullenix

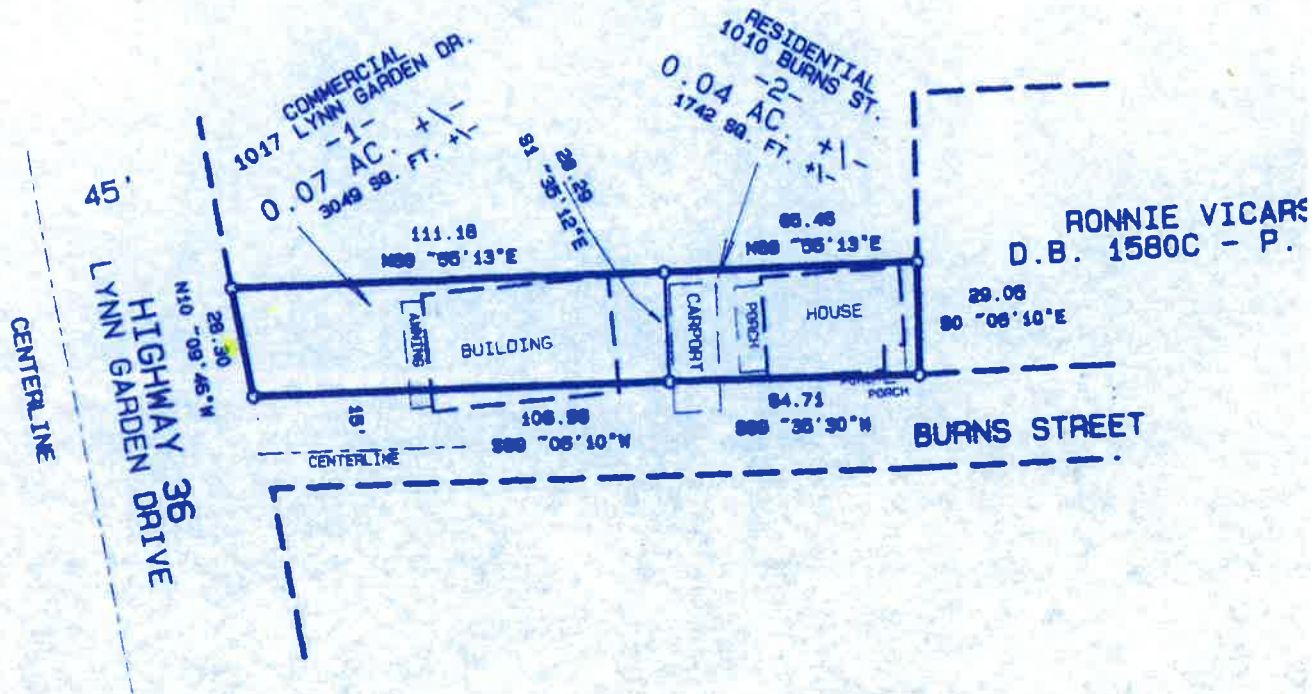
Date: 7-5-18

Signed before me on this 5th day of July, 2018,  
a notary public for the State of Tennessee  
County of Sullivan

Notary Anne M. Adamson  
My Commission Expires 11.25.2019



HAROLD PETERS  
D.B. 2025C - P. 268



*Ken  
Weems  
1-865-361-1612  
Jeff Weems*

I HEREBY CERTIFY THAT THIS IS A CATEGORY 2  
PRECISION OF THE UNADJUSTED SURVEY IS 1/10  
IN COMPLIANCE WITH THE TENNESSEE MINIMUM

SURVEYOR  
No. 10-800  
PHONE 423-278-01

CERTIFICATE OF APPROVAL FOR  
RECORDING

I HEREBY CERTIFY THAT THE SURVEYOR'S PLAT SHOWS

CERTIFICATE  
OF SURVEY



MEMORANDUM

TO: KINGSPOINT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Zoning Administrator

DATE: July 7, 2018

RE: 240 W Center Street

The Board is asked to consider the following request:

**Case: 18-701-00014 – Property located at 240 West Center Street, Control Map 046, Group E, Parcel 021.00** requests a 100 square foot variance to wall sign size to Sec 114-194(g)2. The property is zoned B-2, Central Business District.

REGULAR MEETING  
& PUBLIC HEARING  
Kingsport Board of Zoning Appeals

NOTICE IS HEREBY GIVEN to all citizens of the City of Kingsport, Tennessee, to all persons interested, and the public at large that an open and public meeting of the Kingsport Board of Zoning Appeals scheduled for Thursday, July 19, 2018 will be conducted beginning at NOON in the Bob Clear Conference Room, on the first floor of the Development Services Building, 201 West Market Street, Kingsport, Tennessee.

A tour of the property will be conducted starting at 10:30a.m. prior to the meeting.

Public Hearing: The Kingsport Board of Zoning Appeals will conduct a Public Hearing during this meeting to consider the following case:

**Case: 18-701-00014 – Property located at 240 West Center Street, Control Map 046, Group E, Parcel 021.00** requests a 100 square foot variance to wall sign size to Sec 114-194(g)2. The property is zoned B-2, Central Business District.

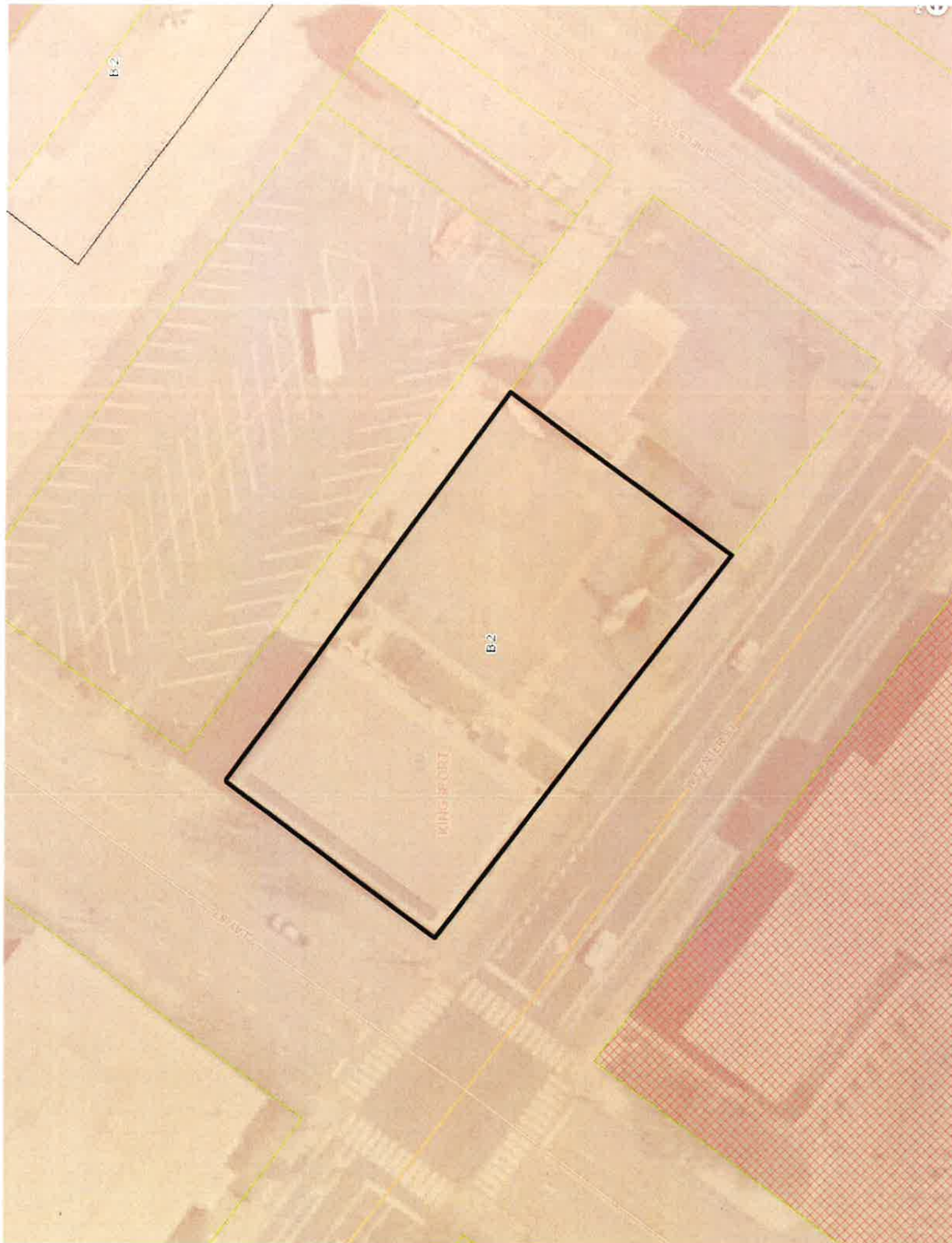
All interested persons are invited to attend this Public Hearing. Additional information concerning this case may be obtained by contacting City of Kingsport Planning Division staff, telephone (423) 229-9485.

City of Kingsport, Tennessee  
Jim Deming, City Recorder  
P1T: 7/10/18











# APPLICATION

Board of Zoning Appeals



## APPLICANT INFORMATION:

Last Name	POWELL VALLEY NATIONAL BANK	First		M.I.		Date	6-28-2018
Street Address	240 WEST CENTER STREET					Apartment/Unit #	
City	KINGSPORT		State	TN		ZIP	37660
Phone	423-578-7209		E-mail Address				

## PROPERTY INFORMATION:

Tax Map Information	Tax map:	046	Group:	E	Parcel:	021	Lot:	21
Street Address	240 WEST CENTER STREET, KINGSPORT, TN 37660					Apartment/Unit #		
Current Zone	COMMERCIAL		Proposed Zone	COMMERCIAL				
Current Use	BANK BUILDING		Proposed Use	BANK BUILDING				

## REPRESENTATIVE INFORMATION:

Last Name	WYNN	First	BROWNING	M.I.		Date	6-28-2018
Street Address						Apartment/Unit #	
City			State			ZIP	
Phone	276-346-6044		E-mail Address	bwynn@powellvalleybank.com			

## REQUESTED ACTION:

ADDITION OF NEW EXTERIOR SIGNAGE: TWO (2) READINGS OF 80 SQ.FT. PAINTED STAINLESS LETTER SETS ATTACHED TO EAST & WEST SIDE OF BUILDING

\*PLEASE SEE ATTACHED DRAWING

## DISCLAIMER AND SIGNATURE

By signing below I state that I have read and understand the conditions of this application and have been informed as to the location, date and time of the meeting in which the Board of Zoning Appeals will review my application. I further state that I am/we are the sole and legal owner(s) of the property described herein and that I am/we are appealing to the Board of Zoning Appeals.

Signature: Powell Valley National Bank  
By: Browning Wynn II

Date: 6-28-2018

Signed before me on this 28 day of June, 2018.

a notary public for the State of Virginia

County of Lee

Notary Sarah Bethany Moore

My Commission Expires 2-28-19





SPECIFICATIONS:

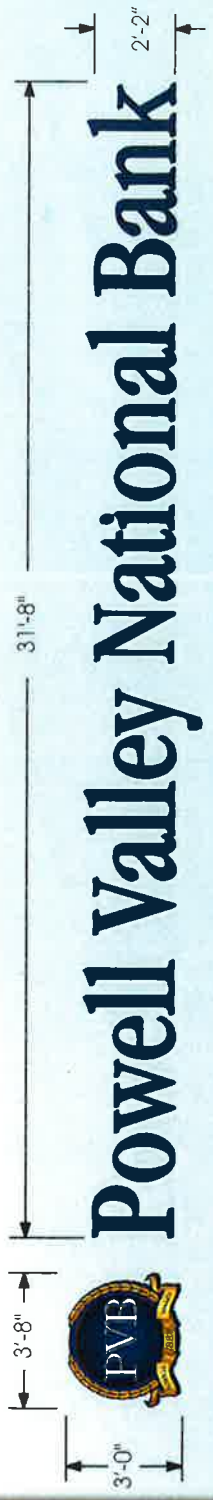
2 - READINGS OF PAINTED STAINLESS LETTERS  
WITH 2" RETURNS ATTACHED TO BUILDING.

CUSTOM EXTERNAL L.E.D. LIGHTING.

COLORS:  
PMS 282C

CUSTOM COLOR DIGITAL PRINTS.

\*MATCH PVB COLORS.



Sketch Number: 01\_07

Scale: 3/16" = 1'

Date: 5-1-18

Designer: RTF

Approved By:

Approval Date:

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Variance Worksheet – Finding of Facts

*Variances.* Except as provided herein to hear and decide applications for variance from the terms of this chapter, because of exceptional narrowness, shallowness or shape of a specific piece of property which on June 16, 1981, was a lot of record or where, because of exceptional topographic conditions or other extraordinary or exceptional situation or condition of a piece of property, the strict application of this chapter would result in peculiar and exceptional practical difficulties to exception or undue hardship upon the owner of such property, provided that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this chapter. In granting a variance the board may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable in furtherance of the purposes of this chapter. Before any variance is granted, the board must find all of the following, which shall be recorded, along with any imposed conditions or restrictions, in minutes and records and issued in written form to the applicant to constitute proof of the variance:

a. The specific conditions in detail which are unique to the applicant's land. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity.

*The building is much smaller in comparison to the surrounding buildings, while sitting on a equal parcel of land. The ARCHITECTURAL STRUCTURE OF THE building dictates that the signage be located AT THE TOP OF THE building ROOF LINE making it Higher Above The ground AND HARDER TO SEE.*

b. The manner in which the strict application of this chapter would deprive the applicant of a reasonable use of the land. *RESTRICTING ABILITY TO provide POTENTIAL CUSTOMERS OF THEIR LOCATION Readily, AND Limiting Normal sight DISTANCE*

c. The unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption or amendment of this chapter.

d. Reasons that the variance will preserve, not harm, the public safety and welfare and will not alter the essential character of the neighborhood. *PROPOSED SIGNAGE ENHANCES APPEARANCE OF THE PROPERTY BY COMPLIMENTING THE BUILDING ON THIS PARCEL AND SURROUNDING BUSINESSES.*

Further, a variance may be granted only if the Board finds that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning plan and this chapter. Variances shall not be granted permitting an increase in floor area or density above the maximum permitted by the zoning district; allowing a use other than those specifically authorized by this chapter in the applicable zoning district; or from the denial of a zoning permit when such denial is due to the fact that such lot has no frontage on a public street unless such lot was a lot of record on June 16, 1981.

Hardship - There is no definition of a "hardship". Some guidelines, based on legal precedent, for applying the concept of unnecessary hardship are:

1. The premises of cannot be used in a manner permitted by the Zoning Ordinance unless the variance is granted.
2. A strict application of the terms of the Zoning Ordinance precludes its use for any purpose to which the land is reasonably adopted.
3. Inability to put the property to its most profitable use DOES NOT constitute a "hardship".
4. Mere inconvenience to the applicant is not sufficient grounds for determining a "hardship". In granting a variance the BZA may not make any decision that is contrary to the purpose and intent of the Zoning Ordinance.



**MINUTES OF THE DRIVING TOUR OF THE  
KINGSPORT BOARD OF ZONING APPEALS (BZA)**

**June 7, 2018**

10:30 a.m.

**Members Present:**

Bill Sumner  
Calvin Clifton

**Members Absent:**

Jeff Little  
Ashok Gala  
Anita Campbell

**Staff Present:**

Ken Weems, AICP

---

At 10:30 a.m., the BZA departed the Development Services Building, 201 W. Market St. to conduct a driving tour of the property located at 1149 Bloomingdale Pike and 1308 Lynn Garden Drive. No official action was taken.

The driving tour concluded at 11:55 a.m.

Respectfully Submitted,

Ken Weems, AICP  
Zoning Administrator

## MINUTES OF THE KINGSPORT BOARD OF ZONING APPEALS (BZA)

### June 7, 2018, Regular Meeting

Noon

Bob Clear Conference Room, 1<sup>st</sup> floor of the Development Services Building

#### Members Present:

Bill Sumner  
Calvin Clifton  
Anita Campbell  
Ashok Gala

#### Members Absent:

Jeff Little

#### Staff Present:

Ken Weems, AICP  
Page Jeffers

#### Visitors:

James Mays  
Tony McClellan  
Jeff Berry

---

Chairman Sumner called the meeting to order.

Chairman Sumner explained the meeting procedures.

Ms. Page Jeffers conducted the swearing in ceremony for those wishing to speak during the regular meeting. Attendees wishing to speak were sworn in.

#### **Public Hearing:**

**Case: 18-701-00008 – Property located at 1149 Bloomingdale Pike, Control Map 030N, Group B, Parcel 014.00** requests reestablishment of a nonconforming use of a gravel parking lot for commercial use in a B-3 zone to Sec 114-8(4). The property is zoned B-3, Highway Oriented Business District.

Mr. James Mays presented the case to the Board. Mr. Mays stated that he had purchased the property in 1976 and that it has had many different commercial uses on it during his ownership. Mr. Mays stated that he didn't know of the paving requirement for commercial parking lots until Mr. McClellan discovered the issue after requesting a zoning conformation letter from the City. Mr. Mays further stated that he would need an extended time period to pave the parking lot, if required to pave it at all. Additionally, Mr. Mays thanked the Board for their time. Mr. McClellan spoke next, stating that he wants to operate a used car dealership on the property. Mr. McClellan stated that he had received a quote to pave the parking lot, but that it would be too expensive at this time for Mr. Mays. Mr. McClellan stated that he would pave the parking lot immediately if Mr. Mays would sell it to him.

Chairman Sumner, seeing no one else wishing to speak, closed the public hearing.

**Case: 18-701-00009 – Property located at 1308 Lynn Garden Drive, Control Map 029E, Group H, Parcel 007.00**

requests a 19 foot front yard variance to Sec 114-195(f)1(c), landscaping reduction variance to eliminate required building perimeter landscaping to Sec 114-



600(d)3(c), and a 28 foot variance to the required planting strip abutting a residential zone use to Sec 114-600(d)4(a). The property is zoned B-3, Highway Oriented Business District.

Mr. Weems drew the Board's attention to a list of required improvements received after circulating Mr. Berry's new car wash proposal to city departments. The required improvements also came from additional review and comment provided by TDOT. The required improvements addressed driveway configuration, stormwater management, and sidewalk improvements. Mr. Jeff Berry presented the case to the Board. Mr. Berry stated that he needed variance approval to place his new building one foot away from his property line. Additionally, Mr. Berry stated he needed variances for landscaping requirements around the perimeter of his new building and within the 30 foot planting strip along his rear property line. Mr. Berry stated that his car wash had not been making as much money as it had in the past and that this new configuration would allow him to stack more automobiles on the property, subsequently keeping them off of Lynn Garden Drive during busy times.

Chairman Sumner, seeing no one wishing to speak, closed the public hearing.

Next, Chairman Sumner called for approval of the May 2018 meeting minutes. Chairman Sumner pointed out several corrections to the May 2018 regular meeting minutes. On a motion by Mr. Gala, seconded by Ms. Campbell, the May 2018 driving tour and regular meeting minutes were approved as amended, 3-0. Next, Chairman Sumner stated that a quorum was unavailable for the July 5, 2018 meeting due to proximity of the July 4 holiday. The Board stated that the next application deadline is July 1, 2018 for the July 19, 2018 rescheduled regular meeting.

#### **Adjudication of Cases:**

##### **Case: 18-701-00008 – Property located at 1149 Bloomingdale Pike, Control Map 030N, Group B, Parcel 014.00**

Chairman Sumner noted that this was a good business location. Mr. Clifton suggested paving a central area as a compromise. Specifically, Mr. Clifton stated that the area in front of the trailer and garage should be paved. Mr. Clifton made a motion to require a 75 foot by 75 foot area in front of the trailer and garage and entry driveway be paved in the next 18 months. The motion died for lack of a second.

MOTION: made by Mr. Gala, seconded by Mr. Clifton, to require paving on the 75 foot by 75 foot area in front of the trailer and garage and entry driveway within the next 18 months, with the remainder of the parking lot required to be paved within the next 3.5 years.

VOTE: 3-0 to approve the request.

##### **Case: 18-701-00009 – Property located at 1308 Lynn Garden Drive, Control Map 029E, Group H, Parcel 007.00**

Mr. Gala stated that he was glad that Mr. Berry had returned with a better plan. Mr. Clifton asked Mr. Berry if he had tried to purchase the homes in the rear of the property. Mr. Berry stated that he had tried but was unsuccessful. Mr. Clifton stated that he would like to see the additional items dealing with stormwater management, sidewalk upgrades, and driveway

configuration addressed prior to making a decision. A motion was made by Mr. Gala to approve the request as presented. The motion died for lack of second.

MOTION: made by Mr. Clifton, seconded by Ms. Campbell, to postpone a decision until after the stormwater management, sidewalk upgrades, and driveway configuration issues were settled.

VOTE: 3-0 to approve the request.

With no further business the meeting was adjourned at 1:15 p.m.

Respectfully Submitted,

Ken Weems, AICP  
Zoning Administrator



